

CLEAN AIR ACT AMENDMENTS OF 19907-119. Performance Test

1. AUTHORITY. To approve the use of a reference method with minor changes in test methodology, to approve shorter sampling times and smaller sampling volumes when necessitated by process variables, to waive the requirement for a performance test pursuant to Sections 111 (f), 111 (h), 112 (d), 112 (f) and 112 (h) of the Clean Air Act if the owner or operator of an affected source has demonstrated by other means that the affected source is in compliance.
2. TO WHOM DELEGATED. Director, Air Protection Division (APD); ~~Associate Director for Enforcement and Permits Policy, APD;~~ and Director, Land and Chemicals Division (LCD).
3. LIMITATIONS.
 - a. The Director LCD may exercise this authority only for hazardous waste combustor MACT facilities.
 - b. The Director LCD must consult with the APD delegates before exercising this authority.
4. REDELEGATION AUTHORITY. This authority may not be redelegated without formal amendment.
5. ADDITIONAL REFERENCES.
 - a. 40 CFR 63.7 (e) (2) (i), 40 CFR 63.7 (e) (2) (iii), 40 CFR 63.7 (e) (2) (iv), and 40 CFR 63.7 (h).
 - b. 40 CFR 61.13 (h) (1) (i) and 40 CFR 61.13 (h) (1) (iii).
 - c. 40 CFR 60.8 (b) (1), 40 CFR 60.8 (b) (4), and 40 CFR 60.8 (b) (5).
 - d. Section 111 of the Clean Air Act.
 - e. Section 112 of the Clean Air Act.
 - f. This delegation, Performance Test, and the delegation titled Alternative Methods supersede delegation 7-14.

CLEAN AIR ACT AMENDMENTS OF 1990

7-119. Performance Test (Cont.)

6. SUPERSESSION. Delegations Manual, CAA, Regional Delegation 7-119. Performance Test, 1200 TN RIII-115 (October 29, 1996).

Date 8/8/01

/s/
Donald S. Welsh
Regional Administrator